



NOTICE OF CONFIDENTIALITY AND ACCESS TO RECORDS

Notice is hereby given that pursuant to the "Family Educational Rights and Privacy Act" (FERPA), the following information is provided about the rights of parents/legal guardians with respect to a child's early intervention records.

These rights are:

- You, the parent/legal guardian, have the right to inspect, review and obtain copies of all early intervention records related to your child within 45 days of the day the agency receives a request for access. If you want to inspect and review the original records or obtain copies of your child's early intervention records, you should submit a written request to your child's care coordinator.
- If you feel that any of your child's early intervention records contain inaccurate or misleading information, you may ask that the records be amended. You should submit a written request to your child's care coordinator and clearly identify the parts you want changed and specify why they are misleading or inaccurate. If the decision is made not to amend the records as requested, you will be notified in writing and advised of your right to a hearing.
- Your child's early intervention records are confidential and cannot be disclosed to anyone without your consent. However, FERPA makes an exception to this general rule and allows disclosure to agency officials with legitimate early intervention interests or, in other words, those officials who need to review an early intervention record in order to fulfill their professional responsibility. An agency official is a person employed or contracted by a designated Department of Health (DOH) early intervention program. This includes, but is not limited to: administrators, supervisors, social workers, therapists, providers listed on your child's Individualized Family Support Plan (IFSP), support staff, quality assurance staff, or Hawaii Keiki Information Service System (H-KISS) workers. Other agency officials include DOH administrators, State officials assigned to compliance, or persons or companies who have been contracted to perform a special task (such as an attorney, auditor, or medical consultant). A copy of your child's early intervention record, including medical reports or summaries, may also be forwarded to another early intervention program in Hawaii, when your child transfers to that program for continued services.
- **Early Intervention Records:** The term means those records that include but are not limited to:
 - (a) Evaluations and assessments
 - (b) Eligibility determinations
 - (c) The IFSP
 - (d) Billing records
 - (e) Progress notes, Consents and Prior Written Notices
- You have a right to file a complaint with the U.S. Department of Education concerning the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-4605